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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,214	02/17/2004	Nadia Afi Edoh		2213

7590 12/21/2004
NADIA EDOH
31 PINGRY WAY
AYER, MA 01432

EXAMINER

BALSIS, SHAY L

ART UNIT	PAPER NUMBER
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1744

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/708,214

Applicant(s)

EDO, NADIA AFI

Examiner

Shay L Balsis

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Information Disclosure Statement***

The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper."

Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 1a, 1b, 1c, 2a, 2b, 2c, 3a, 3b, and 3c. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

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The disclosure is objected to because of the following informalities: The BRIEF DESCRIPTION OF DRAWINGS should only include a brief description. For example, only the first sentence of the existing brief description is suffice. The rest of the information should be in the DETAILED DESCRIPTION section. This is also the section where the reference numbers on the drawings should be described to help give a complete detailed description of the invention.

Appropriate correction is required.

Claim Objections

Claim 1-4 are objected to because of the following informalities:

Claims can only be one sentence long. The "note" part of claims 1 and 2 are improper. The "note" part could be rewritten as a dependent claim depending from those independent claims thus making it proper.

Appropriate correction is required.

Claim 1 recites the limitation "the entire front surface" in line 6. There is insufficient antecedent basis for this limitation in the claim. A front surface was never previously mentioned in the claim.

Claim 1 recites the limitation "the thumb and finger stalls of the glove" in lines 7-8. There is insufficient antecedent basis for this limitation in the claim. Finger stalls were never previously mentioned in the claim. There were previously referred to as cavities. Correction is necessary so that there is consistency with the terminology.

Claim 1 recites the limitation "the sides of the palm" in line 10. There is insufficient antecedent basis for this limitation in the claim. A side surface of a palm was never previously mentioned in the claim.

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Claim 1 recites the limitation "the tips of all the said stalls" in line 12. There is insufficient antecedent basis for this limitation in the claim. The tips of the stalls were never previously mentioned in the claim.

Claim 1 recites the limitation "the sides of all the said stalls" in line 14. There is insufficient antecedent basis for this limitation in the claim. The sides of the stalls were never previously mentioned in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Perez (USPN 5720048).

Perez teaches a rubber waterproof glove (10) comprising a palm portion, a plurality of thumb and finger stalls and a back portion. There are scrubbing bristles covering the entire surface of the glove including the palm portion, finger stalls. The bristles are short and firm made from an elastomeric or plastic material.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Carr (USPN 5765252).

Carr teaches a rubber waterproof glove (72) comprising a palm portion, a plurality of thumb and finger stalls and a back portion. There are scrubbing bristles covering the

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entire surface of the glove including the palm portion, finger stalls. The bristles are made from an elastomeric material.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Borucki-Mastej (USPN 6000060).

Borucki-Mastej teaches a latex waterproof glove (10) comprising a palm portion, a plurality of thumb and finger stalls and a back portion. There are scrubbing bristles covering the entire surface of the glove including the palm portion, finger stalls. The bristles are made from a synthetic fiber of some sort.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Guzman et al. (USPN 6016571).

Guzman teaches a latex-rubber waterproof glove (11') comprising a palm portion, a plurality of thumb and finger stalls and a back portion. There are scrubbing bristles covering the entire surface of the glove including the palm portion, finger stalls. The bristles are made from a synthetic fiber of some sort.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perez or Carr or Borucki-Mastej or Guzman.

Perez or Carr or Borucki-Mastej or Guzman disclose all the essential elements of the claimed invention however, the references fail to teach that the bristles have a length

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of 0.1 to 20 mm, preferably 1 to 10mm. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a bristle that is 1-10mm long because Applicant has not disclosed that length of the bristles provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with the lengths as taught by Perez or Carr or Borucki-Mastej or Guzman or the claimed 1-10mm length because both lengths perform the same function of cleaning equally well. Therefore, it would have been obvious to one of ordinary skill in the art to modify Perez or Carr or Borucki-Mastej or Guzman to obtain the invention as specified in claim 4.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perez in view of Piantedosi (USPN 5419014) or Carr in view of Piantedosi (USPN 5419014) or Borucki-Mastej in view of Piantedosi (USPN 5419014) or Guzman in view of Piantedosi (USPN 5419014).

Perez or Carr or Borucki-Mastej or Guzman disclose all the essential elements of the claimed invention however, the references fail to teach that the bristles have a length of 0.1 to 20 mm, preferably 1 to 10mm. Piantedosi teaches a waterproof glove comprising bristles extending for the front surfaces of the palm and the finger stalls. The bristles are 2.53 mm-3.2mm long. It would have been obvious to use the bristle length as taught by Piantedosi for the length of the bristles on Perez or Carr or Borucki-Mastej or Guzman since anything longer or shorter than that would not provide good cleaning results.

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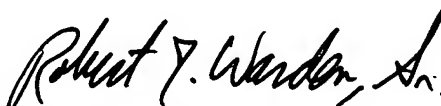
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shay L Balsis whose telephone number is 571-272-1268. The examiner can normally be reached on 7:30-5:00 M-Th, alternating F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Warden can be reached on 571-272-1281. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Slb
12/17/04


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